

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM R. WEINSTEIN, individually and on
behalf of the People of the United States of
America,

Case No. 1:17-cv-01018-RA

Plaintiff,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States of America, and
DONALD J. TRUMP, JR., ERIC TRUMP and
ALLEN WEISSELBERG,

Defendants.

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**NOTICE OF DEFENDANTS' MOTION TO DISMISS THE
SECOND AMENDED COMPLAINT**

PLEASE TAKE NOTICE THAT Defendants Donald J. Trump, Jr., Eric F. Trump, and Allen Weisselberg (collectively, "Defendants"), in the above-referenced matter, will move this Court, before the Honorable Ronnie Abrams, United States District Judge for the Southern District of New York, at the United States Courthouse, 40 Foley Square, New York, New York 10007, on a date and time to be determined by the Court, for an order dismissing with prejudice all claims asserted in Plaintiff's Second Amended Complaint filed June 2, 2017, Dkt. No. 19, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

The grounds for Defendants' motion are that the Second Amended Complaint should be dismissed (a) for lack of subject matter jurisdiction because Plaintiff lacks standing under Article III of the United States Constitution to bring this action, and (b) for failure to state a claim upon

which relief can be granted. The specific grounds for Defendants' motion to dismiss are set forth in the accompanying Memoranda of Law.

Defendants also join in the motion to dismiss filed by co-defendant, President Donald J. Trump, (Dkt. No. 22), and expressly join in and incorporate by reference the arguments and supporting authorities set forth in President Trump's memorandum of law (Dkt. No. 23).

Dated: July 7, 2017

Respectfully submitted,

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